

The Chairman, Ted Dziurman, called the Building Code Board of Appeals meeting to order at 8:30 A.M. on Wednesday, March 6, 2002.

PRESENT: Ted Dziurman
Rick Kessler
Bill Nelson
Bill Need
Frank Zuazo

ALSO PRESENT: Mark Stimac
Ginny Norvell
Pam Pasternak

ITEM #1 – APPROVAL OF MINUTES OF MEETING OF FEBRUARY 6, 2002.

Motion by Need
Supported by Kessler

MOVED, to approve the minutes of the meeting of February 6, 2002 as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 – VARIANCE REQUESTED. JOHN A. HICKS, JR., 512 E. MAPLE, for relief of Chapter 78 to install a 36 square foot ground sign, setback 5 feet from the right of way.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 78 to install a 36 square foot ground sign, setback 5 feet from the right of way at 512 E. Maple. Section 9.02.05, A of the Sign Ordinance requires that a ground sign be placed at least 10 feet setback from the right of way.

Mr. John Hicks, Jr. was present and stated that due to the fact that there are a number of trees in front of the property, if the sign location were to be in compliance, it would not be visible from the street. Mr. Hicks also stated that there is a reservoir behind the trees, which also makes moving the sign back behind the trees very difficult. Mr. Hicks went on to say that the setback allows for use of the sidewalk, however, there are no other sidewalks within a quarter of a mile of the site. Mr. Hicks indicated that he wished to have this sign located with the same setback as the existing sign.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

Mr. Need asked the petitioner why he was removing his logo from the existing sign and Mr. Hicks stated that he wished to have the Tuffy logo at the top of the sign with a "reader board" at the bottom of the sign. Mr. Hicks explained that a "reader board" would indicate the specials that Tuffy is offering.

ITEM #2 – con't.

Mr. Stimac asked if the petitioner would have any control over the existing sign, once his name is removed and the petitioner stated that he would not.

Motion by Need

Supported by Nelson

MOVED, to grant John A. Hicks, Jr., 512 E. Maple, relief of Chapter 78 to install a 36' square foot ground sign, setback 5' from the right of way.

- Variance is not contrary to public interest.
- Variance will not have an adverse effect on surrounding property.
- Variance will not create a prohibited use in a zoning district.

Yeas: All – 5

MOTION TO GRANT REQUEST CARRIED

ITEM #3 – VARIANCE REQUESTED. HELLER MACHINE TOOLS, 1225 EQUITY, for relief of Section 507.2 of the 2000 Michigan Building Code.

Mr. Stimac explained that the petitioner owns an existing 62,500 square foot industrial building on Equity Drive. The building was originally reviewed and approved as an unlimited area building. Based upon the code requirements at the time of approval, the building, among other things, had to be located at least 50 feet from the property line in order to qualify for the unlimited area status. This yard could be reduced to 30 feet if a two-hour rated wall was constructed.

We are now enforcing the 2000 Michigan Building Code. Section 507.2 of that code now requires that a building be located at least 60 feet from the property line in order to qualify for the unlimited area status. This distance can still be reduced by 20 feet, down to only 40 feet, but now the wall would have to be a three-hour rated wall.

The petitioners are now proposing a 32,000 square foot addition on the opposite side of the building. Without the unlimited area status the existing building and addition would have to be divided by firewalls into areas of less than 73,625.

Jack Zelazny, Vice President of Architecture for Campbell/Manix, Robert Jordan, Project Architect, and Joe Niman, operations manager of Heller Machine Tools, were present. Mr. Zelazny stated that this building has been in compliance, however, with the changes in the Building Code, the proposed addition requires a variance. Mr. Zelazny went on to say that they have attempted to comply with the Building Code, but have found that there are very unusual costs to compartmentalize this building.

ITEM #3 – con't.

Mr. Jordan explained that because there exist crane footings that extend beyond the walls of the existing building the addition of a 3-hour firewall would require the addition of a very costly grade beam, which would bring the cost of the firewall to in excess of \$200,000.00. Mr. Jordan also stated that Section 34 of the current Code dealing with existing buildings does not adequately address the conditions of an unlimited area building. Mr. Zelazny pointed out that they have done everything necessary to make sure that the existing building is in compliance as far as landscaping and parking.

Mr. Nelson asked if the proposed future additions would require a variance and Mr. Stimac stated that unless the motion made at this time included the future additions they would, as the building would still be non-conforming to the requirements of an unlimited area building.

Mr. Dziurman asked Mr. Stimac to explain the term “unlimited area building”. Mr. Stimac stated that based on the hazards and use of a building, and whether or not a building is fire-suppressed, the building code establishes a maximum size for the building. If a one or two-story building is located on a piece of property by itself far from the property lines, is of a low to moderate hazard, and is fully suppressed it can be considered an unlimited area building.

Motion by Nelson
Supported by Kessler

MOVED, to grant Heller Machine Tools, 1225 Equity, relief of Section 507.2 of the 2000 Michigan Building Code to have an unlimited area building with a 43-foot setback to the east property line from the existing building with no fire rating where 60 feet is required.

- Variance is not contrary to public interest.
- Variance will not have an adverse effect on surrounding property.
- No adverse effect has been previously found with buildings within the 50' setback limit.

Yeas: All – 5

MOTION TO GRANT REQUEST CARRIED

The Building Code Board of Appeals meeting adjourned at 8:55 A.M.

MS/pp